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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SEQUOAH TURNER, an Individual,

Plaintiff,

v.

AREA 15 LAS VEGAS LLC, a Delaware Limited Liability Company, AREA 15 GLOBAL LLC, a Delaware Limited Liability Company, KENNETH FISHER, an Individual, STEVEN FISHER, an Individual, WINSTON FISHER, an Individual, FISHER BROTHERS MANAGEMENT CO. LLC, a New York Limited Liability Company, FISHER BROTHERS FINANCIAL AND DEVELOPMENT COMPANY LLC, a New York Limited Liability Company, and DOES 1-50 Inclusive,

Defendants.

CASE NO.: 2:22-cv-01357-MMD-BNW

**STIPULATION AND ORDER TO RESET
DATE FOR EARLY NEUTRAL
EVALUATION AND FOR EXEMPTION
FROM REQUIREMENT OF PERSONAL
APPEARANCE**

(FIRST REQUEST)

Plaintiff SEQUOAH TURNER (“*Plaintiff*”), by and through her undersigned counsel of record, the law firms of Brown, Clark, Le, Ames, Stedman & Cevallos LLP and Kaplan Young, and Defendants AREA 15 LAS VEGAS LLC, AREA 15 GLOBAL LLC, KENNETH FISHER (“*Kenneth*”), STEVEN FISHER (“*Steven*”), WINSTON FISHER (“*Winston*,” and together with Kenneth, and Steven, the “*Fisher Individuals*”), FISHER BROTHERS MANAGEMENT CO. LLC, and FISHER BROTHERS FINANCIAL AND DEVELOPMENT COMPANY LLC (collectively, “*Defendants*”), by and through their undersigned counsel of record, the law firm of Brownstein Hyatt Farber Schreck, LLP, hereby stipulate to reset the date of the Early Neutral Evaluation (“*ENE*”) and to exempt the Fisher Individuals from appearing at the ENE, pursuant to LR 16-6(e) and this Court’s Order Setting ENE (ECF No. 8), as set forth below:

1. On August 19, 2022, Plaintiff filed her Complaint in this Court against Defendants. *See generally* ECF No. 1.

2. On August 24, 2022, Defendants waived service of a summons, making their response to the Complaint due on October 24, 2022. *See* ECF No. 5.

3. On September 22, 2022, this Court set the ENE for October 21, 2022, at 10:00 a.m. *See* ECF No. 8.

4. Counsel for Defendants has a preexisting, in person dispositive motion hearing in the United States District Court, Central District of California on October 21, 2022 (Case No. 8:22-cv-01203-JWH-DFM), which was set by that court on July 28, 2022.

5. In addition, the Defendants intend to file FRCP 12 motions in response to the Complaint by the October 24, 2022, deadline, which will assist this Court in framing and narrowing the issues in dispute for purposes of the ENE.

6. The parties have conferred and they are available to attend the ENE on: October 26 or November 10, 2022.

7. LR 16-6(e) and this Court’s Order Setting ENE require the attendance of all parties, unless exempted by this Court.

8. The parties have agreed to exempt the Fisher Individuals from attending the ENE, as the remaining company Defendants will be present by and through appropriate representatives

1 that will have the necessary settlement authority to resolve this case for all Defendants, as required
2 by this Court.

3 9. The Defendants contend that exempting the Fisher Individuals is particularly
4 appropriate because Kenneth and Steven intend to seek dismissal on grounds of personal
5 jurisdiction.

6 10. The instant request is timely, as the first deadline to request exemption from personal
7 appearance at the ENE is October 7, 2022. *See* ECF No. 8, at 2:8-11.

8 11. This is the parties' first request to reset the ENE date and the Fisher Individuals'
9 first request for an exemption from personally appearing at the ENE.

10 12. The parties make the instant request in good faith and without any intent to delay
11 these proceedings.

12 Based on the foregoing, Plaintiff and Defendants stipulate and request that this Court reset
13 the ENE date to October 26 or November 10, 2022, and further stipulate that the Fisher Individuals
14 need not personally appear at the ENE.

15 DATED 4th day of October, 2022.

16 BROWNSTEIN HYATT FARBER SCHRECK, LLP

KAPLAN YOUNG

17 BY: /s/ Travis F. Chance

BY: /s/ Kory L. Kaplan

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21 *Attorneys for Defendants Area 15 Las Vegas LLC,*
22 *Area 15 Global LLC, Kenneth Fisher, Steven Fisher,*
23 *and Winston Fisher, Fisher Brothers Management Co.*
LLC, Fisher Brothers Financial and Development
Company LLC

Attorneys for Sequoah Turner

24 ORDER

25 This Court, having reviewed the foregoing stipulation, and good cause appearing, hereby
26 CONTINUES the Early Neutral Evaluation set for October 21, 2022, to November 10,
27 2022, at 10:00 AM. Confidential statement is due by 4:00 PM, November 3, 2022.
28

1 It is further ordered that Defendants Winston Fisher, Kenneth Fisher, and Steven Fisher are
2 EXEMPTED from appearing at the Early Neutral Evaluation session.

3 **IT IS SO ORDERED.**

4 

5 UNITED STATES MAGISTRATE JUDGE

6 Dated 10-6-2022

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